

**UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF PENNSYLVANIA**

WALTER ALEXANDER MUÑOZ ALEMAN)
)
Petitioner,)

V.)

LEONARD ODDO, *in his official capacity as*)
Warden of Moshannon Valley Processing Center;)

BRIAN MCSHANE, in his official capacity as)
Acting Field Office Director of the Immigration)
and Customs Enforcement, Enforcement and)
Removal Operations Philadelphia Field Office;)

KRISTI NOEM, in his official capacity as
Secretary of the Department of Homeland
Security; and,

Defendant.)

Civ. No.: 3:25-cv-00090
Magistrate Judge Keith A. Pesto

NOTICE OF VOLUNTARY DISMISSAL

Electronically Filed

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

The Plaintiff, through undersigned counsel, respectfully provides notice of his voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). In furtherance of this motion, the Petitioner provides the following:

1. Petitioner was detained on October 21, 2024, seeking re-admission by the Defendants. On November 6, 2024, ICE granted his humanitarian parole from custody and released him. On January 29, 2025, ICE revoked that parole and detained him. The Petitioner asked ICE to honor their prior decision and release him on February 3, 2025. On March 4, 2025, ICE denied the request. The Defendants failed to adjudicate the Petitioner's request for parole

in accordance with the standards governing parole revocation and without any material changed circumstances justifying the revocation of parole.

2. Consequently, on March 19, 2025, the Petitioner filed a petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, 28 U.S.C. § 1331 (federal question); Article I, § 9, cl. 2 of the United States Constitution (habeas corpus); the All Writs Act, 28 U.S.C. § 1651, and the Administrative Procedures Act (APA), 5 U.S.C. § 706(1) seeking restoration of ICE's November 14, 2024 release decision, or in the alternative that the Petitioner be provided a custody hearing before an immigration judge.
3. After the filing of this petition, the Petitioner was ordered removed by an Immigration Judge on May 30, 2025, and subsequently was physically removed from the United States.
4. The Defendants have not filed an answer or a motion for summary judgment with the Court.

CONCLUSION

For the foregoing reasons, the Petitioner provides notice of his voluntary dismissal of this petition.

Dated this 8th Day of July 2025.

Respectfully submitted,

/s/ Paul B Hunker III
Paul B. Hunker III, Esq.
De Mott, Curtright & Armendáriz
8023 Vantage Dr., Suite 800
San Antonio, Texas 78230
T: 210-547-2679
F: 210-212- 2116
paul.hunker@dmcausa.com

AND NOW, this 8th
day of July, 2025,
IT IS SO ORDERED.
Stephen J. Haines
UNITED STATES DISTRICT JUDGE

Counsel for Plaintiff